



Students with Dual Labels





Students with Dual Labels: English Language Learner and Special Education

- English language learners (ELLs) with disabilities have unique learning needs and challenges, because of the of the interaction of their disability with learning a new language.
- The disability and language learning are intertwined and it is often difficult to determine the difference between the level of English proficiency and disability issues.



Students with Dual Labels: English Language Learner and Special Education

English Language Learners

- Who have an IEP
- Are legally entitled to services
 - ✓ English Language Learner Program
 - ✓ Special Education Program



LEGAL OBLIGATIONS





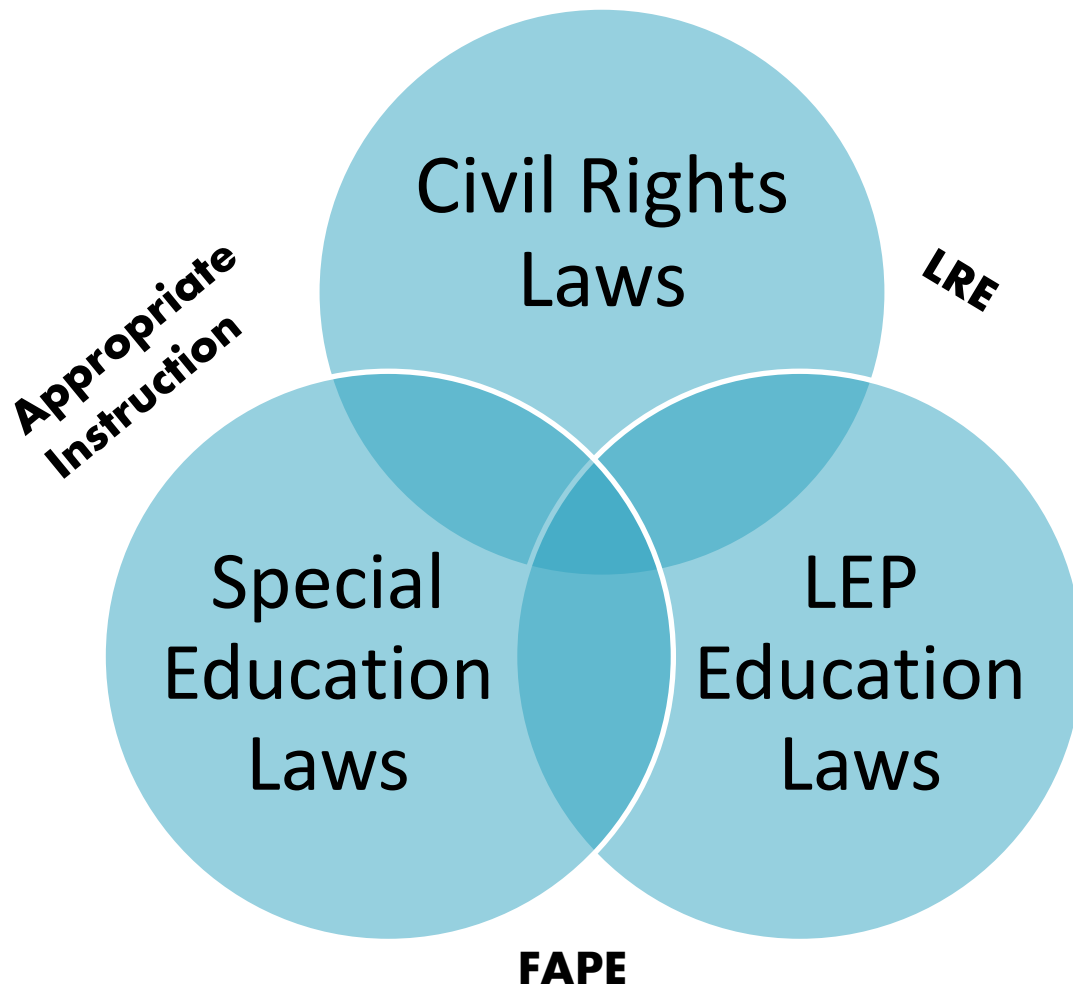
ACRONYMS

- EEOA – Equal Educational Opportunity Act
- ESEA – Elementary and Secondary Education Act
- FAPE – Free Appropriate Public Education
- IDEA – Individuals With Disabilities Education Act
- IEP – Individualized Educational Plan
- ILLP – Individual Language Learner Plan
- LEP – Limited English Proficient
- LRE – Least Restrictive Environment

Laws that Address ELLs with Disabilities

- Two type of laws
 - Laws that pertain to language learning (ELL)
 - Laws that pertain to providing special education services

Federal Laws and Entitlements for ELL Students with Disabilities



No Child Left Behind Act of 2001

Title III Language Instruction for Limited English Proficient and Immigrant Students

Sec. 3212 Program Enhancement Activities

(a)(2)(B)(vii): assisting limited English proficient children with disabilities

Sec. 3213 Comprehensive School and Systemwide Improvement Activities

(a)(3)(H): assisting limited English proficient children with disabilities

Sec. 3214 Application

(h)(3)(B): limited English proficient children with disabilities will be identified and served through the program in accordance with the requirements of the Individuals with Disabilities Education Act (IDEA)

Sec. 3217 Evaluations

(c)(2): disaggregate the results of the evaluation by gender, native languages spoken by children, socioeconomic status, and whether the children have disabilities



Individuals with Disabilities Act

34 CFR § 300.324(a)(2)(ii)

(2) Consideration of special factors. The IEP Team must—

(ii) In the case of a child with limited English proficiency, consider the language needs of the child as those needs relate to the child's IEP;



Arizona Revised Statutes

15-751 — 15-757

English Language Education for Children in Public Schools

15-752 English language education

Foreign language classes for children who already know English shall be completely unaffected, as shall special educational programs for physically- or mentally-impaired students.

15-755 Standardized testing for monitoring education progress

All students with disabilities shall be included in all general state and district assessments, with appropriate accommodations and alternate assessments where necessary and as indicated in their respective individualized education program, in accordance with 20 United States Code section 1412.



Arizona Administrative Code

R7-2-306 English Language Learner Programs

R7-2-306 (D)

Assessment of students in special education or in the special education referral process. If a multidisciplinary evaluation or IEP team finds the procedures prescribed in subsections (B) and (C) inappropriate for a particular special education student, the LEA shall employ alternate procedures for identifying such students or assessing their English language proficiency. Persons conducting the English language assessment shall participate with the special education multidisciplinary evaluation or IEP team in the determination of the student's English language proficiency designation.



Arizona Administrative Code

R7-2-306 English Language Learner Programs

R7-2-306 (H)

Reassessment of special education students for English language reclassification. If a multidisciplinary evaluation or IEP team finds the procedures prescribed in subsection (G) inappropriate for a particular special education student, the LEA shall employ alternate procedures for reassessing the student for purposes of English language reclassification. Persons conducting the English language reassessment shall participate with the special education multidisciplinary evaluation or IEP team in the determination of the student's English language proficiency designation.



PROGRAMS AND SERVICES

Individualized Education Plan (IEP) Team

- Strongly suggest the ELL coordinator and/or the ELL teacher is a member of the IEP Team
- Must consider the **language needs** of the child and provide services for those identified needs.
 - Distinguish language proficiency from disability needs
 - Determine language deficiencies and the most appropriate services
- Document the IEP Team's decisions in the student's IEP.
 - Drives the educational program and services

Delivery of Language Services

- Strongly advise that the two programs **collaborate** to determine the **most effective** approach to instruction.
 - Determine the location of the support for language acquisition.
 - ✓ All English language instruction may be delivered in the SEI program.
 - SEI classroom placement for 4 hours of ELD, or
 - Mainstream classroom/ILLP (4 hours)
 - ✓ All English language instruction may be delivered in the special education program.
 - SEI program will not meet the specific needs of the student because of the impact of the disability.
 - ✓ English language instruction may be split between the special education program and the SEI program.
 - SEI classroom placement for part of the 4 hours of ELD, or
 - Mainstream classroom/partial ILLP

Students with Disabilities in the SEI Classroom

These students may need accommodations/adaptions due to their disability.



- Use of audio
- Use of visuals
- Location in the classroom
- Strategic grouping
- Wait time
- Type of assessment
- Paraphrasing

Students with Disabilities in the SEI Classroom

- Teachers need to know:
 - Level of English language proficiency
 - Specific information about the student's disability
 - How the disability impacts learning
 - Effect of the disability on educational performance
 - Accommodations/modifications in the IEP

Students with Dual Labels

- “Withdrawn due to SPED Criteria” in SAIS
 - ✓ This decision made by the IEP Team
 - IEP Team determines the issue has become a **disability** issue **not** a **language** issue.
 - ✓ Language development is comparably delayed in the home language and English.
 - ✓ The severity of the disability is likely to result in insufficient language development.
 - ✓ The child is **not** demonstrating the ability to acquire English at a reasonable rate when receiving appropriate instruction and support.

Thank You!

